

# SENATE BILL No. 154

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-38-4.

**Synopsis:** Autism reporting. Requires a diagnosis of autism at any age to be reported to the birth problems registry. (Current law provides for the reporting of an autism diagnosis made before a child's fifth birthday.)

**Effective:** July 1, 2014.

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January 8, 2014, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## SENATE BILL No. 154

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-38-4-1, AS AMENDED BY P.L.232-2013,
- 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2014]: Sec. 1. As used in this chapter, "birth problems" means
- 4 one (1) or more of the following conditions:
- 5 (1) A structural deformation.
- 6 (2) A developmental malformation.
- 7 (3) A genetic, inherited, or biochemical disease.
- 8 (4) A condition of a chronic nature, including central nervous
- 9 system hemorrhage or infection of the central nervous system,
- 10 that may result in a need for long term health care.
- 11 (5) An autism spectrum disorder that is recognized in ~~a child~~
- 12 ~~before the child becomes five (5)~~ **an individual at any years of**
- 13 **age.**
- 14 (6) A fetal alcohol spectrum disorder that is recognized before a
- 15 child becomes five (5) years of age.
- 16 (7) Any other severe disability that is:



- 1 (A) designated in a rule adopted by the state department; and  
 2 (B) recognized in a child after birth and before the child  
 3 becomes three (3) years of age.  
 4 (8) Complications resulting from a home delivery. As used in this  
 5 subdivision, "home" includes the delivery of a viable fetus at a  
 6 home or other non-health care facility.
- 7 SECTION 2. IC 16-38-4-8, AS AMENDED BY P.L.188-2013,  
 8 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2014]: Sec. 8. (a) The state department shall establish a birth  
 10 problems registry for the purpose of recording all cases of birth  
 11 problems that occur in Indiana residents and compiling necessary and  
 12 appropriate information concerning those cases, as determined by the  
 13 state department, in order to:
- 14 (1) conduct epidemiologic and environmental studies and to apply
  - 15 appropriate preventive and control measures;
  - 16 (2) inform the parents of children with birth problems:
  - 17 (A) at the time of discharge from the hospital; or
  - 18 (B) if a birth problem is diagnosed during a physician or
  - 19 hospital visit that occurs before the child is:
  - 20 (i) except as provided in item (ii), three (3) years of age at
  - 21 the time of diagnosis; or
  - 22 (ii) five (5) years of age at the time of diagnosis if the
  - 23 disorder is ~~an autism spectrum disorder or~~ a fetal alcohol
  - 24 spectrum disorder;
  - 25 about physicians, care facilities, and appropriate community
  - 26 resources, including local step ahead agencies and the infants and
  - 27 toddlers with disabilities program (IC 12-12.7-2); ~~or~~
  - 28 **(3) inform:**
  - 29 **(A) the individual with problems at any age; or**
  - 30 **(B) the individual's parent;**
  - 31 **at the time of diagnosis, if the individual's disorder is an**
  - 32 **autism spectrum disorder, about physicians, care facilities,**
  - 33 **and appropriate community resources, including local step**
  - 34 **ahead agencies and the infants and toddlers with disabilities**
  - 35 **program (IC 12-12.7-2); or**
  - 36 ~~(3)~~ **(4)** inform citizens regarding programs designed to prevent or
  - 37 reduce birth problems.
  - 38 (b) The state department shall record in the birth problems registry:
  - 39 (1) all data concerning birth problems of children that are
  - 40 provided from the certificate of live birth; and
  - 41 (2) any additional information that may be provided by an
  - 42 individual or entity described in section 7(a)(2) of this chapter



concerning a birth problem that is:

(A) designated in a rule adopted by the state department; and

(B) recognized:

(i) after the child is discharged from the hospital as a newborn;

(ii) before the child is five (5) years of age if the child is diagnosed with ~~an autism spectrum disorder~~ or a fetal alcohol spectrum disorder; ~~and~~

(iii) before the child is three (3) years of age for any diagnosis not specified in item (ii); **and**

**(iv) at any age if the individual is diagnosed with an autism spectrum disorder.**

(c) The state department shall:

(1) provide a physician and a local health department with necessary forms for reporting under this chapter; and

(2) report in an electronic format under IC 5-14-6 to the legislative council any birth problem trends that are identified through the data collected under this chapter.

SECTION 3. IC 16-38-4-9, AS AMENDED BY P.L.232-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) Certified nurse midwives, certified direct entry midwives, and individuals and entities described in section 7(a)(2) of this chapter shall report each confirmed case of a birth problem that is recognized at the time of birth to the registry not later than sixty (60) days after the birth. An individual or entity described in section 7(a)(2) of this chapter who recognizes a birth problem in:

**(1) a child after birth but before the child is five (5) years of age if the child is diagnosed with a disorder other than an autism spectrum disorder; and**

**(2) an individual at any age if the individual is diagnosed with an autism spectrum disorder;**

shall report the birth problem to the registry not later than sixty (60) days after recognizing the birth problem. Information may be provided to amend or clarify an earlier reported case.

(b) A person required to report information to the registry under this section may use, when completing reports required by this chapter, information submitted to any other public or private registry or required to be filed with federal, state, or local agencies. However, the state department may require additional, definitive information.

(c) Exchange of information between state department registries is authorized. The state department may use information from another registry administered by the state department. Information used from



- 1 other registries remains subject to the confidentiality restrictions on the  
2 other registries.

